

Please add Claims 9-15 as follows:

--9. (New) A driving apparatus comprising:

a rotary shaft driven at a predetermined speed;

a first damper for applying a constant inertia to said rotary shaft; and

a second damper for applying a larger inertia to said rotary shaft during rotation at the predetermined speed than when starting rotation.

10. (New) A driving apparatus according to Claim 9, wherein said first damper comprises a rubber member attached to said rotary shaft and an inertia member attached to the rubber.

11. (New) A driving apparatus according to Claim 9, wherein said second damper comprises a magnetic member attached to said rotary shaft and a magnet attached through a low frictional material to the magnet.

12. (New) An image reading apparatus comprising:

scan means for scanning an original to read the original;

a drive source having a rotary shaft to move said scan means;

a first damper for applying a constant inertia to said rotary shaft; and

a second damper for applying a larger inertia to said rotary shaft during rotation at a predetermined speed than when starting rotation.

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canceled.

13. (New) An image reading apparatus according to Claim 12, wherein said scan means reads the original when said rotary shaft is rotated at the predetermined speed.

14. (New) An image reading apparatus according to Claim 12, wherein said first damper comprises a rubber member attached to said rotary shaft and an inertia member attached to the rubber.

15. (New) An image reading apparatus according to Claim 12, wherein said second damper comprises a magnetic member attached to said rotary shaft and a magnet attached through a low frictional material to the magnet.--

REMARKS

Summary of substantive issue

New independent Claims 9 and 12 recite at least one feature not disclosed or suggested by the patents to Inoue, et al. and Brown, et al. Therefore, are these claims allowable over this art?

Status of the claims

Claims 9-15 are pending. Claims 1-8 have been canceled without prejudice. Claims 9-15 have been added. Claims 9 and 12 are independent.

Requested action

Applicants respectfully request the Examiner to reconsider and withdraw the outstanding objections and rejections in view of the foregoing amendments and the following remarks.

Drawing objections

The drawings are objected to because

- reference numerals 304, 305, and 308 shown in Figure 3 are allegedly not discussed in the specification;
- reference numeral 403 shown in Figure 4 is allegedly not discussed in the specification; and
- reference numerals 604 and 608 shown in Figure 6 are allegedly not discussed in the specification.

In response, while not conceding the propriety of the objections, Applicants are filing herewith a Request for Approval of Drawing Changes, requesting deletion of these reference numerals from these drawings.

Formal claim rejection

Claims 4 and 6 are rejected under 35 U.S.C. § 112, second paragraph.

In response, while not conceding the propriety of the rejection, Claims 4 and 6 have been canceled without prejudice, thereby rendering this rejection moot.

Substantive rejection

Claims 1-8 are rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,097,918 (Inoue, et al.) in view of U.S. Patent No. 6,051,169 (Brown, et al.).

Response to substantive rejection

In response, while not conceding the propriety of the rejection, Claims 1-8 have been canceled without prejudice in favor of new Claims 9-15. Applicants submit that new independent Claims 9 and 12 are allowable over the cited art for the following reasons.

Independent Claim 9 relates to a driving apparatus comprising a rotary shaft driven at a predetermined speed, a first damper for applying a constant inertia to the rotary shaft, and a second damper for applying a larger inertia to the rotary shaft during rotation at the predetermined speed than when starting rotation.

By this arrangement, vibration produced by the driving apparatus can be controlled during the acceleration of the driving apparatus when starting rotation and after the driving apparatus reaches the predetermined speed.

In contrast, the patents to Inoue, et al. and Brown, et al. are not understood the disclose or suggest a first damper for applying a constant inertia to a rotary shaft, and a second damper for applying a larger inertia to the rotary shaft during rotation at a predetermined speed than when starting rotation, as recited by Claim 9.

The failure of these references to disclose or suggest at least these features proves fatal to establishing a prima facie case of obviousness against Claim 9, since MPEP §2142, requires that:

To establish a prima facie case of obviousness... the prior art reference (or references when combined) must teach or suggest all the claim limitations. (Page 2100-89, right column, lines 3-11).

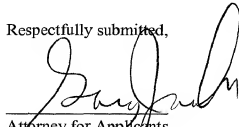
For this reason, independent Claim 9 is allowable over the patents to Inoue, et al. and Brown, et al. And since independent Claims 12 recites similar features, it is allowable for similar reasons.

The dependent claims are allowable for the reasons given with respect to the independent claims and because they recite features which are patentable in their own right. Individual consideration of the dependent claims is respectfully solicited.

In view of the above amendments and remarks, the claims are now in allowable form. Therefore, early passage to issue is respectfully solicited.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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